

# **Town Board Minutes**

## **Meeting No. 1**

### **Regular Meeting**

**January 1, 2004**

An Organizational and Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 1<sup>st</sup> day of January 2004 at 11:00 A.M. and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
GARY STOLDT, POLICE CHIEF

**PERSONS ADDRESSING TOWN BOARD:**

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matter:

- Comments about her F.O.I.L. requests for public documents, namely bill of sale for property on Walden Avenue.

**Symer, Donald**, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Comments about proposed moratorium on storage of hazardous materials collected for disposal.

**PRESENTATION OF ORGANIZATIONAL PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**WHEREAS**, it is essential to the orderly and efficient conduct of regular and special meetings of the Town Board of the Town of Lancaster to adopt Rules of Order so that the business of the Town of Lancaster may be conducted with dispatch and decorum,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that in accordance with Section 63 of the Town Law of the State of New York, the Town Board of the Town of Lancaster hereby adopts, for the years 2004 and 2005, its Rules of Order for the conduct of regular and special meetings:

**RULES OF ORDER**  
**TOWN BOARD**  
**TOWN OF LANCASTER**

**RULE 1 REGULAR SESSION**

Regular sessions of the Town Board of the Town of Lancaster shall be held on the first and third Monday of each month at 8:00 o'clock P.M., at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, unless said first or third Monday is a legal holiday, in which event said regular session shall be held on the following day. Each regular session and all adjourned sessions shall be open for the consideration of any matter which, in accordance with these rules, may be properly brought to the attention of the Town Board.

Due to the holding of a Special Town Board meeting on January 1, 2004 for the dual purpose of transacting both the bi-annual organizational matters of the Town Board and regular matters of the Town Board, the regular meeting of the Town Board scheduled to be held on January 5, 2004 is canceled. The second meeting in January is scheduled for Tuesday January 20, 2003, due to Monday, January 19, 2003 being Martin Luther King Jr Holiday.

Due to a possible lack of a quorum on Monday, February 2, 2004, the first meeting in February is scheduled for February 9, 2004 at 8:00 o'clock P.M. Due to a conflict of the Town Board with the annual meeting of the Association of Towns in New York City, the regular meeting scheduled for February 16, 2004, shall be held one week later at 8:00 o'clock P.M. on February 23, 2004.

Regular Meetings of the Town Board shall be preceded by an open work session to be held at 7:00 o'clock P.M.

**RULE 2 SPECIAL MEETINGS**

Special meetings shall be held at the call of the Supervisor of the Town of Lancaster or upon filing with the Supervisor of the Town of Lancaster a written request signed by two members of the Town Board. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member and the Town Clerk by the Supervisor of the Town of Lancaster at least two days before the time fixed for holding the meeting. A member may waive the service of notice for such meeting by written waiver signed by such member. Only business specified in the notice thereof may be transacted at a special meeting.

**RULE 3 QUORUM**

The majority of the duly constituted membership of the Town Board of the Town of Lancaster shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

#### **RULE 4 ROLL CALL**

At any and every meeting of the Town Board, the vote on all Town Board resolutions, actions or questions determined shall be recorded or called in alphabetical order as to the last names of the members present, excepting the Supervisor, who shall vote last. Members of the Town Board, other than the Supervisor, shall be addressed during Town Board proceedings as Council Member.

#### **RULE 5 ORDER OF BUSINESS**

The Order of Business of each session shall be:

- Pledge of Allegiance and invocation
- Calling the roll of members by the Town Clerk
- Persons desiring to address the Town Board [On prefiled and suspended resolutions only] (See Rule 18)
- Bid openings and public hearings
- Reports of department heads
- Reports of committees
- Presentation of prefiled resolutions
- Presentation of communications
- Persons desiring to address Town Board [On any municipal related subject] (See Rule 18)
- Adjournment

#### **RULE 6 PRESENTATIONS TO BE IN WRITING**

All resolutions and amendments thereof shall be in writing.

#### **RULE 7 TIME FOR PRESENTATION TO THE CLERK**

All resolutions and communications of whatever nature shall be submitted in writing to the Town Clerk before 10:00 A.M. on the Friday preceding a Town Board meeting for presentation by the Town Clerk at the next Town Board meeting.

The resolutions, communications, and as far as practical, a fully prepared agenda shall be transmitted by the Town Clerk through the cooperation of the Lancaster Police Department to the Town Board members on the Friday evening preceding each regular Town Board meeting.

The Town Clerk and Town Attorney are authorized to promote rules and regulations deemed necessary to implement Rule 7.

#### **RULE 8 DECORUM**

The Supervisor shall take the chair promptly at the hour specified for the convening of the Town Board meeting and shall preserve order and decorum. In debate, the Supervisor shall prevent personal reflections and confine members to the question under discussion. The Supervisor shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Town Board and sustained.

#### **RULE 9 RECORDING YES AND NO VOTES**

On roll call, the yes and no votes shall be taken according to Rule 4 and the Town Clerk shall record the names of the members and the way each shall have respectively VOTED.

## **RULE 10 WHEN A MEMBER MAY BE EXCUSED FROM VOTING**

Every member who shall be in the Town Board Chambers when a question is stated by the Supervisor shall vote. A member may be excused if directly interested in the question. The member must state his/her connection with the question. After stating his/her interest and upon obtaining consent of the majority of the members, the member may be excused.

## **RULE 11 SPEAK WHEN RECOGNIZED BY THE SUPERVISOR**

No member wishing to speak shall proceed until such member shall have addressed the Supervisor from his/her place and shall have been recognized by the Supervisor.

## **RULE 12 SUSPENSION OF RULES BY 2/3 CONSENT**

These rules may at any time during the session be suspended by 2/3 consent of all the members of the Town Board present. The member making the application for such suspension must state the purpose for which the same is asked.

## **RULE 13 PRESENTATION OF MOTION**

When a question shall be under consideration, no motion shall be received except the following motions:

- for an adjournment of the Board
- to lay on the table
- to recess
- to commit to a committee
- to amend

## **RULE 14 WITHDRAWAL OF RESOLUTION OR MOTION**

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Supervisor of the vote thereon, or before an amendment to such resolution or motion has been adopted.

## **RULE 15 MOTION NOT AMENDABLE OR DEBATABLE**

All motions for an adjournment, for a recess, to refer to committee or department head, or to lay on the table, shall be neither amended nor debated.

## **RULE 16 ALL POINTS OF ORDER NOT COVERED BY THESE RULES**

On all points of order, not covered by the rules of this Town Board, Robert's Rules of Order Revised shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of the Town Board or Robert's Rules of Order Revised, the Rules of the New York State Assembly shall be followed.

## **RULE 17 AMENDMENT OF RULES**

These rules shall not be rescinded, altered or amended, nor any additional rule added thereto except by a majority vote of the total members of the Town Board provided at least two days prior notice in writing has been filed with the Town Clerk and each Town Board member.

## **RULE 18 PERSONS DESIRING TO ADDRESS THE TOWN BOARD**

Persons may address the Town Board at any regular Town Board meeting.

The Town Board will twice hear the concerns of the public at regular Town Board meetings for a period of thirty (30) minutes under "Persons Desiring to Address the Town Board", of Rule 5 "Order of Business".

A person desiring to be heard shall:

- Raise his/her hand and be recognized by the Supervisor.
- Give his/her name and address to the Town Clerk.
- Speak directly to the Town Board members, not the audience, using the microphone provided.
- Speak on a single issue at a time. Individuals may address additional issues after all persons present have had an opportunity to be heard once on a single issue.
- Speak for five (5) minutes or less, unless the Town Board grants a speaker an extension of this time limit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following appointments be and are hereby made by the Town Board of the Town of Lancaster. These appointments are for the period January 1, 2004 to December 31, 2005 unless otherwise indicated. These appointees shall be compensated at the salary or hourly rate, as set forth in the schedules of Salaries of the Town of Lancaster adopted by the Town Board for the years 2004 and 2005.

**GENERAL ADMINISTRATIVE APPOINTEES**

**BISTOFF, JAMES**, be and is hereby appointed Fire Inspector, part-time.

**COLEMAN, JOHANNA M.**, be and is hereby appointed Registrar of Vital Statistics.

**COLEMAN, JOHANNA M.**, be and is hereby appointed Clerk to the Zoning Board of Appeals.

**DUDZIAK, JOHN**, be and is hereby appointed Deputy Town Attorney, part time.

**FELDMANN, JEANNE**, be and is hereby appointed Court Clerk.

**FILIPOWICZ, ALICE M.**, be and is hereby appointed Court Clerk.

**GIZA, ROBERT H.**, be and is hereby appointed Affirmative Action Officer, in compliance with Title VIII of the Civil Rights Act of 1968.

**GIZA, ROBERT H.**, be and is hereby appointed Budget Officer, part-time.

**GIZA, ROBERT H.**, be and is hereby appointed the voting delegate to represent the Town of Lancaster at official meetings of the Northeast-Southtowns (NEST) Solid Waste Management Board.

**HORN, DAVID**, be and is hereby appointed Dog Control Officer.

**KANE, JUDITH**, be and is hereby appointed Clerk, part-time, in the Justice Courts.

**LABENSKI, ROBERT**, be and is hereby appointed Drainage Officer, part-time.

**LOCICERO, NICHOLAS**, be and is hereby appointed Town Prosecutor, part-time.

**MAC PEEK, ROBERT**, be and is hereby appointed Natural Disaster Services Coordinator, part-time.

**MC CRACKEN, TERRENCE D.**, be and is hereby appointed General Crew Chief.

**MC CRACKEN, TERRENCE D.**, be and is hereby appointed Senior Clerk, Property Manager, part-time.

**MONTOUR, MARK.**, be and is hereby appointed an alternate voting delegate to represent the Town of Lancaster at official meetings of the Northeast-Southtowns (NEST) Solid Waste Management Board.

**NOWAK, MARY**, be and is hereby appointed Clerk Typist, part-time, to the Planning Board.

**O'ROURKE, JAMES**, be and is hereby appointed Games of Chance Auditor, part-time.

**REVELAS, WILLIAM**, be and is hereby appointed Fire Inspector, part-time.

**SHERWOOD, RICHARD J.**, be and is hereby appointed Town Attorney.

**SIMME, JEFFREY H.**, be and is hereby appointed Code Inspector.

**SIMME, JEFFREY H.**, be and is hereby appointed Plumbing Inspector.

**SIMME, JEFFREY H.**, be and is hereby appointed 1st Alternate Natural Disaster Service Coordinator.

**STOLDT, GARY** , be and is hereby appointed 2nd Alternate Natural Disaster Service Coordinator.

**BINGO INSPECTORS, PART-TIME**

**CRINZI, JOHN**

**DIEBEL, DONALD**

**ROBINSON, WAYNE**

**WEREMBLEWSKI, EDWARD**

**WILKOSZ, ALFRED**

**DOG CONTROL OFFICERS**

**GARLAND, WILLIAM B.**, be and is hereby appointed Dog Control Officer, part-time.

**MUENCH, JAMES JR.**, be and is hereby appointed Dog Control Officer, part-time.

**PACANOWSKI, LEWIS**, be and is hereby appointed Dog Control Officer, part-time.

**SITEK, GARY A.**, be and is hereby appointed Dog Control Officer, part-time.

**VAN DRIVERS, PART-TIME**

**BASTIAN, SR., NORMAN F.**

**DOBROWOLSKI, SYL D.**

**DOKTOR, HENRY J.**

**METZGER, CLARENCE DONALD**

**ROLL, GLENN**

**STEPHAN, ROBERT J.**

**ZBOCK, JOHN P.**



**MEMBERS OF AGENCIES, BOARDS, BUREAUS, COMMISSIONS, COUNCILS**

**DRUG ABUSE PREVENTION COUNCIL:**

**D'AMORE, ANTHONY V.**, be and is hereby appointed Chairman, Drug Abuse Prevention Council.

**DWAN, TIMOTHY J.**, be and is hereby appointed Member, Drug Abuse Prevention Council.

**GILL, GERALD J.**, be and is hereby appointed Member, Drug Abuse Prevention Council.

**MARINELLI, JOSEPH**, be and is hereby appointed Member, Drug Prevention Council.

**MILLER, LINDA L.**, be and is hereby appointed Member, Drug Abuse Prevention Council.

**ROESSLER, CHARLES H.**, be and is hereby appointed Member, Drug Abuse Prevention Council.

**SCARAFIA, REV. JOHN**, be and is hereby appointed Member, Drug Abuse Prevention Council.

**INDUSTRIAL DEVELOPMENT AGENCY:**

**BARNHARDT, JOSEPH R.**, be and is hereby appointed Consultant, Industrial Development Agency to serve at will of the Town Board.

**BENZEL, ROBERT G.**, be and is hereby appointed Member, Industrial Development Agency to serve at will of Town Board.

**FIALKIEWICZ, FRANK**, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

**GIZA, ROBERT H.**, be and is hereby appointed Member and Chairman, Industrial Development Agency to serve at will of the Town Board.

**KURTZMAN, SHELDON**, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

**MEYER, JEROME R.**, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

**NUNAN, E. JAMES**, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

**TATE SR., WILLIAM D.**, be and is hereby appointed Member, Industrial Development Agency to serve at will of the Town Board.

**PLANNING BOARD:**

**KEYSA, STANLEY JAY**, be and is hereby appointed Chairman, Planning Board for the period January 1, 2004 to December 31, 2004.

**ANDERSON, REBECCA**, be and is hereby appointed Member, Planning Board for the period January 1, 2004 to December 31, 2010.

**ZONING BOARD OF APPEALS:**

**LEHRBACH, JEFFREY**, be and is hereby appointed Member, Zoning Board of Appeals for the period January 1, 2004 to December 31, 2008.

**LEHRBACH, JEFFREY**, be and is hereby appointed Chairman, Zoning Board of Appeals for the period January 1, 2004 to December 31, 2004.

and,

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk give notice of the appointment of Robert H. Giza as Affirmative Action Officer in a "display advertisement" in the official newspaper of the Town in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

**PUBLIC NOTICE  
TOWN OF LANCASTER**

**NOTICE OF DESIGNATION  
OF  
AFFIRMATIVE ACTION OFFICER**

**THE TOWN OF LANCASTER HAS APPOINTED ROBERT H. GIZA AS THE LOCAL  
AFFIRMATIVE ACTION OFFICER.**

**PERSONS WHO FEEL THEY HAVE BEEN THE VICTIMS OF HOUSING  
DISCRIMINATION MAY RECEIVE ASSISTANCE IN FILING A COMPLAINT BY  
CONTACTING MR. GIZA AT 21 CENTRAL AVENUE, LANCASTER, NEW YORK 14086**

**PHONE: 683-1610**

**January 1, 2004**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, it is necessary, from time to time, for various departments and offices of the Town of Lancaster to hire sickness, vacation, temporary, or part-time help,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following departments and offices of the Town of Lancaster, for the years 2004 and 2005, be and are hereby authorized to hire sickness, vacation, temporary or part-time help to the extent of funds provided in their respective budgets:

ASSESSOR  
BUILDING INSPECTOR  
DOG CONTROL OFFICER  
ENGINEER  
HIGHWAY  
PARKS, RECREATION, FORESTRY, AND BUILDINGS  
POLICE  
SUPERVISOR  
TOWN ATTORNEY  
TOWN CLERK  
TOWN JUSTICES  
YOUTH BUREAU

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**RESOLVED**, that the following appointments by the Supervisor, Town Clerk and Registrar of Vital Statistics for the years 2004 and 2005 be and are hereby acknowledged at a salary as set forth in the Schedule of Salaries for said years

**BROWN, DAVID J.**, as Director of Administration and Finance to serve at the will of the Supervisor.

**ALLEIN, JAMES**, as Deputy Town Clerk, to serve at the will of the Town Clerk with all the powers and duties of the Town Clerk not inconsistent with law.

**FIALKIEWICZ, JEAN**, as Assistant to the Supervisor, to serve at the will of the Supervisor.

**LABENSKI, ROBERT H.**, as Drainage Officer, part-time, to serve at the will of the Supervisor.

**PERRELLO, MARY ANN**, as Deputy Registrar of Vital Statistics, to serve at the will of the Registrar of Vital Statistics with all the powers and duties of the Registrar of Vital Statistics not inconsistent with law.

**PERRELLO, MARY ANN**, as Deputy Town Clerk, to serve at the will of the Town Clerk with all the powers and duties of the Town Clerk not inconsistent with law.

**SCOTT, DR. HARLEY E.**, as Town Historian, to serve at the will of the Supervisor.

**WEHNER, KATHLEEN**, as Deputy Receiver of Taxes, to serve at the will of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**RESOLVED**, by the Town Board of the Town of Lancaster as follows:

**SECTION 1:**

That those Town elected and appointed officials whose expenses have been allowed in the 2004 Budget, be and hereby are authorized to attend the 2004 Annual Meeting of the Association of Towns of the State of New York, to be held in New York City on February 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup>, 2004, with reimbursement for actual and necessary expenses, not to exceed the sum of \$1,300.00 per individual attending.

**SECTION 2:**

That **SUPERVISOR ROBERT H. GIZA** be and hereby is appointed as a delegate to the Annual Meeting of the Association of Towns of the State of New York, to be held in New York City on February 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup>, 2004, and that Council Member Ruffino and Council Member Stempniak be and are hereby appointed alternate delegates, in order, to the aforesaid meeting.

**SECTION 3:**

That during the year 2004, Town department heads or officials whose expenses have been allowed in the 2004 Budget are hereby authorized to attend in Allegheny, Cattaraugus, Chautauqua, Erie, Genesee, Monroe, Niagara and Wyoming Counties, the regular luncheon/dinner meetings of the various official organizations relating to their official duties as Town department heads or officials, and that the necessary expenses incurred in traveling to or from said meeting and in addition thereto, the cost of such meals, not to exceed the sum of \$30.00 per luncheon or dinner, and membership fees, are hereby determined a legitimate Town expense for which such officials shall be reimbursed.

**Assessor:**

Erie County Assessors' Organization  
Institute of Assessing Officers  
International Association of Assessing Officers  
New York State Assessors' Association  
New York State Assessors' Association Conference

**Assessor - Real Property Appraiser:**

Erie County Assessor's Association  
New York State Assessors' Association

**Building Inspector:**

Building Official and Code Administration  
Erie County Fire Inspectors' Association  
Finger Lakes Building Inspectors' Seminar  
National Fire Protection Association  
New York State Building Officials' Conference  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
Niagara Frontier Building Inspectors' Educational Conference Executive Board  
Niagara Frontier Building Inspectors' Executive Board  
Western New York Fire Marshall Association  
State Emergency Management School  
Local/County Emergency Management School

**Building Inspector - Assistants:**

Erie County Fire Inspectors' Association  
New York State Fire Academy  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
State Emergency Management School  
Western New York Fire Marshall Association  
Local/County Emergency Management School

**Court - Clerks:**

Court Clerks' Association  
New York State Magistrates Clerks' Association  
New York State Association of Towns (2)

**Court - Justices:**

Erie County Magistrates' Association  
Judges and Police Executives of Erie County  
New York State Magistrates' Association  
New York State Association of Towns

**Director of Administration and Finance:**

New York State Government Finance Officers' Association  
Annual Town Finance and Management School Cosponsored by the Assoc. of  
Towns of NYS and the Office of the State Comptroller

**Engineer:**

Town Engineers Association of Erie County  
Local APWA  
Western NY Utilities Association  
Niagara Frontier Utility Contractors Association

**Fire Inspector:**

Erie county Fire Inspectors' Association  
Western New York Fire Marshalls' Association  
Niagara Frontier Building Inspectors' Association  
Niagara Frontier Building Inspectors' Seminar  
NFPA - Western New York Chapter  
Finger Lakes Seminar  
State Emergency Management Schools  
Local/County Emergency Management Schools

**Highway Superintendent:**

Erie County Association of Town Superintendents of Highways  
New York State Association of Town Superintendents of Highways  
Cornell Local Roads Program For Highway Superintendents

**Historian:**

Buffalo and Erie County Historical Society  
Erie County Federation of Historical Societies  
New York State Historical Association  
Town Historians' Association of Western New York

**Lancaster Industrial Development Agency:**

Depew-Elma-Lancaster Chamber of Commerce  
Industrial Development Conferences, as necessary  
Industrial Forum of Eastern Erie County and Steering Committee meetings

**Police Chief:**

Eric County Association of Chiefs of Police  
Judges and Police Executives of Erie County  
New York State Association of Chiefs of Police  
W.N.Y. Association of Chiefs of Police  
Mid Atlantic Great Lakes Organized Crime Law Enforcement Network  
Conference  
100 Club of Buffalo  
International Association of Chiefs of Police in Western New York

**Senior Data Processing Clerk in Tax Office:**

Association of Erie County Governments  
Association of Receivers and Collectors of Taxes, Erie County  
Erie County Assessors' Association  
New York State Association of Tax Receivers and Collectors

**Supervisor and Council Members:**

American Society for Public Administration  
Association of Erie County Governments  
Depew-Elma-Lancaster Chamber of Commerce  
Ellicott Creek Watershed Committee  
Erie County Disaster Preparedness Advisory Board  
Erie County Emergency Medical Services Advisory Board  
Erie County Emergency Services Steering Committee  
Erie County Fire Services Council  
Erie County Housing Steering Committee and other community  
development related meetings  
Erie County Reval Consortium  
Erie County Sewer District No. 4  
Industrial Forum of Eastern Erie County  
Industrial Development conferences as necessary  
Lancaster Opera House, Inc.  
New York State Association of Towns  
New York State Association of Large Towns  
New York State Supervisors' and Legislators' Association  
NFTA Technical Advisory Committee on GBIA Terminal Master Plan  
NFTC Long Range Transportation Plan Subcommittee  
Other Intermunicipal conferences in Erie County as necessary  
Upstate Municipal Risk Association  
Erie County Association of Town Superintendents of Highways  
New York State Association of Town Superintendents of Highways

**Town Clerk:**

Association of Erie County Governments  
Association of Receivers and Collectors of Taxes, Erie County  
Association of Records Managers and Administrators, Inc.  
Erie County Assessors' Association  
Town Clerks' Association of Erie County  
Town Clerks' Association of New York State  
New York Association of Local Government Record Officers  
New York Association of Tax Receivers and Collectors  
New York State Association of Towns

**Deputy Town Clerk:**

Association of Records Managers and Administrators, Inc.  
Town Clerks' Association of Erie County  
Town Clerks' Association of New York State  
New York Association of Local Government Record Officers

**Youth Bureau - Executive Director/Chairman:**

Erie County Comprehensive Planning committee (Youth)  
New York State Association of Youth Bureaus and Youth Boards  
Western New York Association of Youth Bureaus and Youth Boards



#### **SECTION 4:**

That all conferences, seminars, lectures and meetings not falling within a pattern of regular attendance and not exceeding \$400.00 in reimbursable expenses, including mileage reimbursement, may be approved for attendance by the Supervisor pursuant to Section 77-b of the General Municipal Law. Conferences, seminars, lectures and meetings exceeding \$400.00 shall require the approval of the Town Board.

#### **SECTION 5:**

That during the year 2004, all Town officials and employees be and hereby are authorized to be paid standard mileage per mile for the use of their personal automobiles on all Town business at a rate equal to the Internal Revenue Service Guideline Regulations for 2004 mileage reimbursement.

#### **SECTION 6:**

That the Building Inspector be and is hereby authorized to attend the Finger Lakes Seminar and the New York State Building Inspectors' Associations code course during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 7:**

That two (2) Assistant Building Inspectors be and are hereby authorized to attend the Finger Lakes Seminar and the New York State Building Inspectors' Seminar and the Montour Fall New York State Fire Academy during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 8:**

That the Assessor be and is hereby authorized to attend the Cornell University Extension Service during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 9:**

That staff employees of the Parks, Senior Facility, and Buildings & Grounds Department whose expenses have been allowed in the 2004 Budget, be and are hereby authorized to attend the 2004 Annual Meeting of the Health, Physical Education and Recreation Conference of the State of New York with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 10:**

That the Supervisor and one Town Board Member be and is hereby authorized to attend the 2004 Annual National Association of Towns Conference in Washington, D.C. with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 11:**

That the Town Clerk or her designee be and is hereby authorized to attend the Annual Conference of the New York State Town Clerks' Association, Inc., the Annual Conference of the New York State Association of Local Government Records Officers and the Annual Seminar for Tax Collection Officers during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 12:**

That the Police Chief be and is hereby authorized to attend the Annual Conference of the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN) with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

#### **SECTION 13:**

That the Highway Superintendent be and is hereby authorized to attend all Association of Towns Highway Schools during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 14:**

That the Director of Administration and Finance be and is hereby authorized to attend the New York State-GFOA One Day Training Seminar and Annual Conference during the year 2004 with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

**SECTION 15:**

That the General Crew Chief of the Parks, Senior Facility and Buildings & Grounds Department and two members of the Recreation Commission be and are hereby authorized to attend the New York State Recreation and Parks Society and New York State Association of Continuing Community Educators' Annual Conference with reimbursement of actual and necessary expenses hereby authorized upon presentation of receipts.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
RUFFINO, TO WIT:

**WHEREAS**, it is the recommendation of the Finance Committee of the Town Board of the Town of Lancaster to invest a portion of the funds of the Town of Lancaster, and

**WHEREAS**, it has been determined by said Finance Committee that there are moneys available for temporary deposit or investment not needed for immediate expenditure.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor and/or the Director of Administration and Finance and the Town Clerk be and hereby are authorized, for the years 2004 and 2005, without further authority of the Town Board, to deposit or invest for varying periods of time, so much of the funds of the Town of Lancaster in all of its accounts for specific periods of time and at such rates of interest which, in their discretion and at such times it is deemed available, and shall be just and proper.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Insurance Committee of the Town Board of the Town of Lancaster deems it in the public interest to bond all elected and appointed officials and employees of the Town of Lancaster for the Faithful Performance of their duties.

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

**SECTION 1:** That all elected and appointed officials and employees of the Town of Lancaster be bonded for the years 2004 and 2005 for the Faithful Performance of their duties under a Public Employee's Faithful Performance Blanket Position Bond with an amount of indemnity of \$10,000.00 per official or employee.

**SECTION 2:** That additional indemnity be required for the following positions in the amount specified:

<u>POSITION</u>	<u>LOCATION</u>	<u>NO.</u>	<u>AMOUNT</u>
Dep. Receivers of Taxes	Town of Lancaster	2	200,000.00 each
Dir. of Administration & Finance	Town of Lancaster	1	200,000.00
Town Supervisor	Town of Lancaster	1	200,000.00
Assistant to Supervisor	Town of Lancaster	1	200,000.00
Clerk/Cashier	Town of Lancaster	3	100,000.00 each
Sr. Data Proc. Clerk-Rec. Of Taxes	Town of Lancaster	1	200,000.00
Town Justices	Town of Lancaster	2	75,000.00 each
Town Clerk	Town of Lancaster	1	200,000.00
Highway Superintendent	Town of Lancaster	1	10,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER AMATURA, TO WIT:

**RESOLVED**, that the following Schedule of Salaries and hourly rates be  
and hereby is adopted for the CSEA White Collar Union employees for the year 2004: (Amounts  
represent annual salaries unless otherwise specified)

**TO BE PAID BI-WEEKLY**

**ASSESSOR:**

Clerk Typist (Herrmann)	33,677.00
Real Property Appraiser (Hanley)	42,541.00
Real Property Appraiser Technician (Juliano)	38,387.00

**BUILDING AND ZONING:**

Assistant Building Inspector (Campisano/Pease)	42,324.00 each
Building/Zoning Clerk (Garcia/Maciejewski)	33,677.00 each

**COURT:**

Clerk Typist (Kane/Cox)	33,677.00 each
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**ENGINEER:**

Construction Inspector (Smith)	42,324.00
Supervising Clerk (Augustine)	38,232.00

**HIGHWAY:**

Crew Chief (Cacciotti)	26.64 per hour
Clerk Typist (Barbaro)	33,677.00
Working Crew Chief (Kocialski)	26.64 per hour

**PARKS, RECREATION, FORESTRY AND BUILDINGS:**

Clerk Typist (Gryczynsk/Jablonski)	33,677.00 each
Laborer Aides (Cicarelli/Marino/Everett/ Stanek/Warrington)	15.42 per hour each
Laborers (Gangloff/Giroux/Lubera/Perillo/ Hoffmann/Dudas/Zimmerman)	20.14 per hour each
Recreation Attendant, F.T. (Piccolo)	33,677.00

**POLICE:**

Clerk Stenographer (Plewik)	38,232.00
Clerk Typist (Kostecky)	33,677.00

**SUPERVISOR:**

Senior Account Clerk (Palano)	40,307.00
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**TOWN CLERK:**

Clerk Typist (Nowak/Blank)	33,677.00 each
Senior Data Processing Clerk (Stock)	43,653.00

**YOUTH BUREAU:**

Program Coordinator (Harrington)	40,307.00
Youth Counselors (Candino/Schanne)	40,307.00 each
Youth Court Coordinator Prov. (Wolcott)	33,227.00
Clerk Typist (Graber)	33,677.00

and,

**BE IT FURTHER**

**RESOLVED**, that all types of compensation, where applicable, be paid according to the terms of the agreement between the Town of Lancaster and the CSEA White Collar Unit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Schedule of Salaries be and is hereby adopted for  
the year 2004: (amounts represent annual salaries unless otherwise specified)

**TO BE PAID BI-WEEKLY**

**ASSESSOR:**

Assessor (Fusco) 56,210.00

**BINGO:**

Bingo Inspector, P.T. (Crinzi - includes mileage) 62.50 per insp.  
Bingo Inspector, P.T. (Wilkosz/Diebel/Weremblewski/  
Robinson - includes mileage) 57.00 per insp.  
Games of Chance Auditor, P.T. (O'Rourke - includes mileage) 62.50 per audit

**BUDGET OFFICER: (Giza)** 6,684.00

**BUILDING AND ZONING:**

Building Inspector (Simme) 54,572.00  
Building Inspector (Simme) (Village) 7,000.00  
Clerk, P.T. (Flanagan) 14.64 per hour  
Clerk, P.T. (McCoy) 8.90 per hour  
Fire Inspector, P.T. (Revelas/Bistoff) 14.19 per hour each

**COURT:**

Clerk to Town Justice (Filipowicz/Feldmann) 33,677.00 each  
Clerk P.T. (Kune) 4,558.00  
Town Justices (Dwan/Kelcher) 34,474.00 each

**COUNCIL MEMBERS: (Amatura/Montour/Ruffino/Stempniak)** 15,930.00 each

**DIRECTOR OF ADMINISTRATION AND FINANCE :**

Director of Administration and Finance (Brown) 66,332.00

**DISASTER PREPAREDNESS:**

Natural Disaster Services Coordinator P.T. (MacPeck) 15,000.00

**DOG CONTROL:**

Dog Control Officer (Horn) 38,969.00  
Dog Control Officers, P.T. (Muench/Sitek/Garland/Pacanowski)  
Full is \$16.05 per hour  
75% 0 - 1040 hours - cumulative Town service 12.03 per hour  
80% 1041 - 2080 hours - cumulative Town service 12.84 per hour  
85% 2081 - 3120 hours - cumulative Town service 13.64 per hour  
90% 3121 - 4160 hours - cumulative Town service 14.44 per hour  
95% 4161 - 5200 hours - cumulative Town service 15.24 per hour  
100% greater than 5200 hours - cumulative Town service 16.05 per hour

**DRAINAGE:**

Drainage Officer P.T. (Labenski)	4,839.00
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**ENGINEERING:**

Town Engineer (Labenski)	71,337.00
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**HIGHWAY ADMINISTRATION:**

Highway Superintendent (Reese)	57,440.00
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**PARKS, RECREATION, FORESTRY, AND BUILDINGS:**

General Crew Chief (McCracken)	55,061.00
Senior Clerk P.T. - Property Manager (McCracken)	5,200.00
Lifeguard P.T. (Fendzlau)	13.50 per hour
Recreation Attendant P.T. - Sr. Center (Arcese)	10.50 per hour
Recreation Attendant P.T. - Sr. Center (Beckler)	9.25 per hour
Recreation Attendant P.T. - Sr. Center (Hillman)	9.75 per hour
Recreation Attendant P.T. - (O'Rourke/Giglia)	8.35 per hour ea.
Recreation Attendant P.T. - Arts Director (Pesany-Au)	10.50 per hour
Recreation Attendant P.T. - Arts Instructor (Heidle)	11.50 per hour
Recreation Attendant P.T. - Dance Instructor (Dela Rosa)	8.00 per hour
Recreation Attendant P.T. - Hot Meals Operator (Valois)	11.50 per hour
Recreation Attendant P.T. - Hot Meals Director (Tanski)	13.75 per hour
Recreation Attendant P.T. - Ceramics Instructor (Weiss)	8.75 per hour
Recreation Supervisor P.T. - Night (Maras)	8.50 per hour
Recreation Supervisor P.T. - Night (Dobrowolski)	7.50 per hour
Recreation Supervisor P.T. - Sr. Center (Bartz)	18.50 per hour
Van Driver P.T. - Sr. Citizen (Bastian/Dobrowolski/Doktor/ Metzger/Stephan/Zbock/Roll)	7.00 per hour ea.

**POLICE:**

Police Captains (Murphy/Zuppelli)	75,299.00
Police Chief (Stoldt)	90,032.00
School Crossing Guard, P.T. (Meyers/Gaskin)	8.90 per hour ea.
Senior Clerk Typist (Freund)	42,659.00

**SUPERVISOR:**

Senior Clerk Stenographer (Greco)	44,318.00
Supervisor (Giza)	61,273.00
Assistant to the Supervisor (Fialkiewicz)	40,307.00
Clerk P.T. (Campanelli)	12.46 per hour
Secretary to the Supervisor (Hunt) on step Full is 33,677	
for period 1/1/04 to 2/17/04      90%	30,309.00
for period 2/18/04 to 8/17/04      95%	31,993.00
8/18/04 to full rate      100%	33,677.00

**TOWN ATTORNEY:**

Town Attorney (Sherwood)	59,093.00
Deputy Town Attorney P.T. (Dudziak)	14,500.00
Town Prosecutor P.T. (Lo Cicero)	12,723.00
Clerk Typist (Brehm)	33,677.00
Clerk P.T. (Cook)	12.46 per hour

**TOWN CLERK:**

Town Clerk (Coleman)	58,556.00
Records Management Officer (Coleman)	5,379.00
Clerk P.T. (Quinn/Morrissey)	12.46 per hour each
Deputy Town Clerk (Allein)	33,677.00
Deputy Town Clerk (Perrello)	43,653.00
Deputy Receiver of Taxes (Wehner)	33,677.00



**YOUTH BUREAU:**

Executive Director (Trojanowsky)

55,956.00

**TO BE PAID SEMI-ANNUALLY**

Planning Board Chairperson	3,461.00
Planning Board Members (6)	2,704.00 each
Clerk Typist P.T. Planning Board (Nowak)	80.00 per meeting
Registrar of Vital Statistics (Coleman)	900.00
Zoning Board of Appeals Chairperson	1,717.00
Zoning Board of Appeals Members (6)	1,337.00 each
Zoning Board of Appeals Clerk (Coleman)	2,792.00

**TO BE PAID ON A PER DIEM BASIS**

Assessment Review Board Chairperson	195.00 per day
Assessment Review Board Members (5)	155.00 per day ca.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Schedule of Salaries be and hereby is approved  
for the members of the Cayuga Club for the year 2004:

**TO BE PAID BI-WEEKLY**

Lieutenants (Airey/Carroll/Gill/Myers, E./Rozler/Sugg)	65,884.00 each
Lieutenant Domino (D.A.R.E. Officer)	67,884.00
Detectives (Lynch/Rinow/Robak/VanSplunder)	59,880.00 each
Police Officers (24)	56,380.00 each
Police Officer on step - (Batt) appointed 7/14/03	
Full is \$56,380.00	
for period 1/1/04 to 1/13/04	45,481.00
for period 1/14/04 to 7/13/04	85% 47,923.00
for period 7/14/04 to 12/31/04	90% 50,742.00

Police Officers on step - (Clark/Gunsher/Gummo/Kotlak/  
Lewandowski/Smith) appointed 7/21/04

Full is \$56,380.00	
for period 1/1/04 to 1/20/04	45,481.00
for period 1/21/04 to 7/20/04	85% 47,923.00
for period 7/21/04 to 12/31/04	90% 50,742.00

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according to  
the terms of an agreement between the Town of Lancaster and the Cayuga Club.

The question of the adoption of the following resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED BY  
SUPERVISOR GIZA , WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO. TO WIT:

**RESOLVED**, that the pay rates for the following positions for members of the CSEA  
Blue Collar employees be and hereby are authorized for the year 2004:

**TO BE PAID BI-WEEKLY**

**HIGHWAY DEPARTMENT:**

Heavy Equipment Operator	21.75 per hour
Bernacki/Snyder/Ludwig	
Light Equipment Operator	21.31 per hour
Drewniak/Franger/Latello/Loos/Nichter/ Phillips/Gallagher/Wiepert	
Laborer	20.72 per hour
Brzyski/DeBergalis/Dundon/Falletta/Lume/ McKenzie/Paoletta/Juliano	
Automotive Mechanic	22.25 per hour
Pempsell	
Maintenance Worker	21.31 per hour
Gulliford/Weremblewski	
Laborer-Highway	22.25 per hour
Jackson	
Automotive Mechanic Helper	21.95 per hour
Rogacki	

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according to  
the terms of an agreement between the Town of Lancaster and the CSEA, Local Highway Unit #815,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**RESOLVED**, that the pay rates for the following positions for members of the Lancaster  
Dispatcher Employee Association be and hereby are authorized for the year 2004: (amounts represent  
annual salaries)

**TO BE PAID BI-WEEKLY**

**POLICE DEPARTMENT:**

**Public Safety Dispatchers:** 38,414.00 each

Balk, Jennifer A.  
Brooks, Sharon M.  
Burns, Kathleen  
Cohan, Sharon A.  
Firestone, Jane  
Kerl, Carolanne  
Malone, Tammie  
McGloin, Patricia  
Pawlikowski, Jean  
Stewart, Angela

and,

**BE IT FURTHER**

**RESOLVED**, that all other types of compensation, where applicable, be paid according  
to the terms of an agreement between the Town of Lancaster and the Lancaster Dispatcher Employee  
Association.

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the services of the Election Inspectors of the Town of Lancaster will be needed for conducting the election process of the Town of Lancaster during the year 2004.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that during the year 2004, the Election Inspectors of the Town of Lancaster be paid as follows:

Primary Day (Presidential)	(polls open 15 hours) - \$130 each
Primary Day (Fall)	(polls open 15 hours) - \$130 each
Election Day	(polls open 15 hours) - \$130 each
Election Inspectors' Training School Attendance -	\$ 25.38 each

and,

**BE IT FURTHER**

**RESOLVED**, that the Chairman of the Inspectors at each Polling Place be paid an additional \$36 for the Spring Primary, Fall Primary and Election Days.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**RESOLVED**, that pursuant to a resolution adopted by the Town Board on July 7, 1997, extending certain holiday benefits of the CSEA White Collar contract to all non-bargaining employees whose employment and benefits are governed by the Personnel Rules for Employees in the Service of the Town of Lancaster, the following calendar dates shall be observed as holidays during the year 2004 for non-bargaining employees:

January 1	New Year's Day
January 19	Dr. Martin Luther King, Jr. Day
February 16	Presidents' Day
April 9	Good Friday
May 31	Memorial Day
July 4	Independence Day (Observed Monday, July 5, 2003)
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veterans' Day
November 25	Thanksgiving Day
November 26	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 23, 2004)
December 25	Christmas Day (Observed Friday, December 24, 2004)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 30, 2004) (January 1, 2005 observed Friday, December 31, 2004)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Article IV, "Holidays", of an agreement between the Town of Lancaster and the Town of Lancaster Highway Unit, Local #815, the following calendar dates shall be observed as holidays during the year 2004:

January 1	New Year's Day
February 12	Lincoln's Birthday
February 22	Washington's Birthday
April 9	Good Friday
May 31	Memorial Day
July 4	Independence Day (Observed Monday, July 5, 2003)
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veterans' Day
November 25	Thanksgiving Day
November 26	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 23, 2004)
December 25	Christmas Day (observed Friday, December 24, 2004)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 30, 2004) (January 1, 2005 observed Friday, December 31, 2004)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Section 8.01, "Holidays and Holiday Assignments", of an agreement between the Town of Lancaster and the Town of Lancaster Police Benevolent Association, also known as the Cayuga Club, the following dates shall be observed as holidays during the year 2004:

January 1	New Year's Day
January 19	Dr. Martin Luther King Jr. Day
February 12	Lincoln's Birthday
February 22	Washington's Birthday
April 9	Good Friday
April 11	Easter Sunday
May 31	Memorial Day
July 4	Independence Day
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veterans' Day
November 25	Thanksgiving Day
December 25	Christmas Day

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Article IV, "Holidays", of an agreement between the Town of Lancaster and the Town of Lancaster White Collar Unit, Local #815, the following calendar dates shall be observed as holidays during the year 2004:

January 1	New Year's Day
January 19	Dr. Martin Luther King, Jr. Day
February 16	Presidents' Day
April 9	Good Friday
May 31	Memorial Day
July 4	Independence Day (Observed Monday, July 5, 2003)
September 6	Labor Day
October 11	Columbus Day
November 2	Election Day
November 11	Veterans' Day
November 25	Thanksgiving Day
November 26	Day After Thanksgiving
December 24	½ Day Before Christmas Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 23, 2004)
December 25	Christmas Day (observed Friday, December 24, 2004)
December 31	½ Day Before New Year's Day (12:30 P.M.-5:00 P.M. Observed Thursday, December 30, 2004) (January 1, 2005 observed Friday, December 31, 2004)

and,

**BE IT FURTHER**

**RESOLVED**, that pursuant to Section 13.01 "Holidays", of an agreement between the Town of Lancaster and the Lancaster Dispatcher Employee Association, the following calendar dates shall be observed as holidays during the year 2004:

January 1	New Year's Day
January 19	Dr. Martin Luther King, Jr. Day
February 16	Patriot's Day (a/k/a Presidents Day)
April 9	Good Friday
April 11	Easter
May 31	Memorial Day
July 4	Independence Day
September 6	Labor Day
October 11	Columbus Day
November 11	Veterans' Day
November 25	Thanksgiving Day
November 26	Day After Thanksgiving
December 24	Christmas Eve
December 25	Christmas Day

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**RESOLVED**, that pursuant to Section 3-224 of the Election Law of the State of New York, the Town Board of the Town of Lancaster hereby authorizes the Village of Lancaster, the Village of Depew, the Lancaster Central School District, and the Depew Union Free School District, the use of the Town of Lancaster voting machines during the years 2004 and 2005, and

**BE IT FURTHER**

**RESOLVED**, the Town Clerk be and is hereby authorized to furnish to the Village of Lancaster, the Village of Depew, the Lancaster Central School District, and the Depew Union Free School District, the necessary voting machines requested for their local elections, provided the voting machines are not required at the time requested for Town purposes of election.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

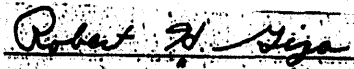
THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK, TO WIT:

**RESOLVED**, that the Manufacturers and Traders Trust Company, Lancaster Branch; Fleet Bank, Lancaster/Depew Office; Key Bank, Western Region, JPMorgan Chase Bank, and the Columbus Bank and Trust Company be designated as the official co-depositories of the Town of Lancaster for the years 2004 and 2005, and that the Supervisor, Town Justices and Town Clerk be authorized and directed to deposit all funds coming into their hands by virtue of their office in said banks, and

**BE IT FURTHER**

**RESOLVED**, that the aforesaid designated depositories of this municipality, be and is hereby requested, authorized and directed to honor checks, drafts or other orders for the payment of money drawn in this municipality's name including those payable to the individual order of the person whose name appears thereon as a signer when bearing or purporting to bear the facsimile signature of the following:

Robert H. Giza



and,

**BE IT FURTHER**

**RESOLVED**, that all depositories shall be entitled to honor and charge this municipality for such checks, drafts, or other orders, regardless of by whom or by what means the actual or purported facsimile signature thereon may have been affixed thereto, if such signature resembles the facsimile specimen duly certified to or filed with the designated depositories by the Director of Administration and Finance of this municipality.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the Lancaster Bee be and is hereby designated as the official newspaper of the Town of Lancaster for the years 2004 and 2005, and

**BE IT FURTHER**

**RESOLVED**, that all official notices and advertisements authorized or required by law to be published by the Town Board of the Town of Lancaster or any other Board, Commission or Officer of the Town of Lancaster be published in the Lancaster Bee.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town Board in accordance with Section 29(10-a) of the Town Law of the State of New York, may determine by resolution that the Supervisor shall submit to the Town Clerk, within sixty (60) days after the close of the fiscal year, a copy of the report to the State Comptroller, required by Section 30 of the General Municipal Law of the State of New York.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster shall furnish to the Town Clerk, within sixty (60) days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law of the State of New York for the years 2004 and 2005, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk shall cause to be published in the official newspaper of the Town of Lancaster a notice stating a copy of the Supervisor's report to the State Comptroller, as required by Section 30 of the General Municipal Law, is on file in the Town Clerk's Office and is available for public inspection and copying, and

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be forwarded to the Town Auditors, Fox & Company, 810 Sheridan Drive, Tonawanda, New York 14150-7870, and

**BE IT FURTHER**

**RESOLVED**, that should a lawful extension of this sixty (60) day filing requirement be obtained, the Town Clerk shall publish in accordance with the filing dates governed in the lawful extension.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that for the years 2004 and 2005, the Town Board of the Town of Lancaster will reaffirm issuance of Building Permits at its regular meetings, which have been filed with the Town Clerk, up to 10:00 a.m. on the Friday preceding a Town Board Meeting.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that all Town Hall Offices be opened from 9:00 o'clock A.M. to 5:00  
o'clock P.M. every day, Monday through Friday, during the years 2004 and 2005, except legal holidays.

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the Town Clerk be instructed to collect the tax roll for the years 2004  
and 2005 according to the following schedule of penalties as set by the Erie County Tax Act:

**COUNTY TAXES -**

Taxes paid prior to February 16<sup>th</sup> - no fees or penalties  
Taxes paid on February 16<sup>th</sup>, prior to March 1<sup>st</sup> - 1.5 %  
Taxes paid on March 1<sup>st</sup>, prior to March 16<sup>th</sup> - 3%  
Taxes paid on March 16<sup>th</sup>, prior to April 1<sup>st</sup> - 4.5%  
Taxes paid on April 1<sup>st</sup>, prior to April 16<sup>th</sup> - 6%  
Taxes paid on April 16<sup>th</sup>, prior to May 1<sup>st</sup> - 7.5%  
Add 1.5% per month additional thereafter.

**SCHOOL TAXES -**

Taxes paid prior to October 16<sup>th</sup> - no fees or penalties  
Taxes paid on October 16<sup>th</sup>, prior to November 1<sup>st</sup> - 7.5%  
Taxes paid on November 1<sup>st</sup>, prior to December 1<sup>st</sup> - 9%

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

**RESOLVED**, that during the years 2004 and 2005, the Finance and Management  
Committee of the Town Board shall meet at 6:30 o'clock P.M. before each Regular Meeting of the Town  
Board to audit all Town bills.

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the sum of \$6,100.00 provided in the 2004 Budget for the proper observance of Memorial Day and Independence Day in the Town of Lancaster be appropriated as follows:

**SECTION 1:** The sum of \$1,100.00 among the Veterans organizations within the Town of Lancaster and allocated as follows:

Not to exceed \$350.00 - Lancaster Post, V.F.W.  
Not to exceed \$250.00 - Twin Village Post, V.F.W.  
Not to exceed \$250.00 - Depew Post, American Legion  
Not to exceed \$150.00 - Korean Era Chapter 203  
Not to exceed \$100.00 - American Ex-Prisoners of War

provided that such expenses as apportioned shall be paid upon properly itemized and audited vouchers which shall be received during 2004, and

**SECTION 2:** The sum of \$2,500.00 for the purpose of defraying the expenses of the proper observance of Independence Day in the Town of Lancaster, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

**SECTION 3:** The sum of \$2,500.00 for the purpose of defraying the expenses connected with the Taste of Lancaster sponsored by the Lancaster Village Partnership, which sum shall be expended upon properly itemized and audited vouchers for such expenditure.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, by resolution adopted January 1, 2004, the Town Board of the Town of Lancaster has designated the following official depositories for the Town of Lancaster, hereinafter referred to as "the Banks":

1. Manufacturers and Traders Trust Company
2. Fleet Bank
3. Key Bank
4. JP Morgan Chase Bank
5. Columbus Bank and Trust Company

and,

**WHEREAS**, from time to time, the Town of Lancaster requests the Banks, by written or oral communication, telephone, telex, or computer communication device to transfer funds to other financial institutions or to other accounts at the Banks or to any account of a third party for credit, to parties designated by the Town of Lancaster

**NOW, THEREFORE, BE IT**

**RESOLVED**, that for the years 2004 and 2005 the Town of Lancaster enter into a Funds Transfer Agreement (and any addenda thereto) with the Banks, and that any two of the following officers or employees of the Town of Lancaster are hereby authorized to execute and deliver to the Banks said Funds Transfer Agreement (and any addenda thereto) on the conditions set forth in said Agreement and addenda, and to appoint and delegate, from time to time, such persons who may request such transfers on behalf of the Town of Lancaster in accordance with such Agreement and addenda:

1. Supervisor
2. Supervisor's Designee
3. Director of Administration and Finance
4. Town Clerk
5. Town Clerk's Designee

and,

**BE IT FURTHER**

**RESOLVED**, that the authority conferred herein may be exercised singly by any of such officers or employees and shall continue in full force and effect until written notice of modification or revocation shall be received by the Funds Transfer Division of the Banks, and that the Banks shall be protected in acting upon any form of such written notice of modification or revocation which it in good faith believes to be genuine, and

**BE IT FURTHER**

**RESOLVED**, that all funds transfer agreements and other documents heretofore executed and actions heretofore taken by any of such officers in order to implement the foregoing resolutions are hereby adopted, ratified and confirmed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has given due consideration to extending all benefits enjoyed by the PBA membership to the Captains and the Chief of Police in the Town of Lancaster, and

**WHEREAS**, the Town Board deems it appropriate to extend those same benefits to the Captains and the Chief of Police.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the extension of the same benefits enjoyed by the PBA membership to the Captains and the Chief of Police of the Town of Lancaster Police Department for the years 2004 and 2005.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: rpolicebenefits403

**PUBLIC HEARING SCHEDULED FOR 11:30 A.M.:**

At 11:30 A.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed Local Law of 2004 entitled "Moratorium on Storage of Hazardous Materials Collected for Disposal".

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

<b>NAME</b>	<b>ADDRESS</b>	<b>Proponent/ Opponent/ Comments/Questions</b>
Donald Symer	610 Columbia Avenue	Opponent (Conditional)
Hank Gull	710 Pavement Road	Opponent
Gary Howell	98 Park Blvd	Proponent
Lee Chowanick	93 Northwood Drive	Comments/Questions
Gloria Kubicki	15 Maple Drive	Proponent
Mike Schuler	Bowmansville Fire Dept.	Opponent
Joseph Cipolla	35 Hillside Pkwy	Proponent
Jeff Davis	218 Calumet Street	Proponent

ON MOTION BY COUNCIL MEMBER MONTGOMERY, AND SECONDED BY COUNCIL MEMBER STEMPNIAK, FOR ADJOURNMENT OF THE PUBLIC HEARING AND CARRIED.

The Public Hearing was adjourned at 12:14 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

January 1, 2004

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board held  
December 15, 2003 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Section 4-104(5) of the Election Law of the State of New York provides for consolidation of election districts located within the same polling place in Primary Elections if the candidates of each district are the same on each voting machine and the consolidation results in less than 1200 voters in a consolidated polling place, and

**WHEREAS**, the Town Clerk has informed the Town Board that she wishes to take advantage of Section 4-104(5) of the Election Law to save taxpayers \$8,414 in inspector payroll costs and over \$1,000 in voting machine delivery costs for each Primary Day consolidated, and

**WHEREAS**, the Town Clerk has assured the Town Board that no voter will be inconvenienced by the consolidation since only districts located within the same polling place will be consolidated.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk of the Town of Lancaster be and is hereby authorized to petition the Erie County Board of Elections for permission to consolidate election districts within the Town of Lancaster for the March 2, 2004 Spring Primary and the 2004 Fall Primary pursuant to the provision of Section 4-104(5) of the Election Law of the State of New York, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be and is hereby authorized to take any further action necessary to effect the purpose and interest of this consolidation resolution

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

**PREFILED RESOLUTION NO. 3 - MEETING OF 1/1/04**

Giza/ \_\_\_\_\_

Award Contract For Schematic Design Phase Of Renovation For 3949  
Walden Avenue [Purchasing, Services]

At the request of Supervisor Giza, this resolution was withdrawn for further  
study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Line Volunteer Fire Department, Inc., by letter dated December 19, 2003, has requested the addition of the following individual to the membership roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

**ADDITION:**

Jayme Carnahan  
1168 Clinton Street  
Attica, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: RFIRES (P3)



UPON MOTION MADE BY COUNCIL MEMBER RUFFINO,  
SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, the Town Board broke  
for a recess at 12:25 P.M.; they reconvened at 12:45 P.M.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

**WHEREAS**, a proposed Local Law of the Year 2004, entitled "**Moratorium on Storage of Hazardous Materials Collected for Disposal**" and designated as Chapter 50, Section 52 of the Code of the Town of Lancaster, was introduced to the Town Board of the Town of Lancaster by Supervisor Giza on the 15<sup>th</sup> day of December 2003, and

**WHEREAS**, a Public Hearing was duly called and held pursuant to law on January 1, 2004;

**NOW, THEREFORE, BE IT**

**ENACTED** by the Town Board of the Town of Lancaster, Local Law No. 1 of the year 2004 entitled "**Moratorium on Storage of Hazardous Materials Collected for Disposal**", and designated as Chapter 50, Section 52 of the Code of the Town of Lancaster, County of Erie and State of New York, which reads as follows:

**CHAPTER 50, SECTION 52**  
**MORATORIUM ON STORAGE OF HAZARDOUS MATERIALS**  
**COLLECTED FOR DISPOSAL**

**LOCAL LAW NO. 1**

**Of the Year**  
**2004**

**A LOCAL LAW TO IMPOSE A MORATORIUM ON USES THAT MAY OTHERWISE BE PERMITTED IN CHAPTER 50 OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED "ZONING" TO WIT: THE AMENDMENT OF CHAPTER 50 BY ADDING THERETO §50-52, "MORATORIUM ON STORAGE OF HAZARDOUS MATERIALS COLLECTED FOR DISPOSAL" AS A PRINCIPAL USE OF PROPERTY BE IT PERMANENT OR TEMPORARY.**

**BE IT ENACTED**, by the Town Board of the Town of Lancaster, as follows:

**Section 1.**

The Code of the Town of Lancaster is hereby amended by adding thereto a Local Law No. 1 of the Year 2004, which shall be entitled: "Moratorium on Storage of Hazardous Materials Collected for Disposal", and shall read as follows:

**Chapter 50, Section 52**  
**MORATORIUM ON STORAGE OF HAZARDOUS MATERIALS**  
**COLLECTED FOR DISPOSAL**

<b>§50-52.1</b>	<b>Title.</b>
<b>§50-52.2</b>	<b>Purpose.</b>
<b>§50-52.3</b>	<b>Jurisdiction.</b>
<b>§50-52.4</b>	<b>Definitions.</b>
<b>§50-52.5</b>	<b>Temporary limitations.</b>
<b>§50-52.6</b>	<b>Severability.</b>
<b>§50-52.7</b>	<b>Supersession of statutory provisions.</b>
<b>§50-52.8</b>	<b>When effective.</b>

**§50-52.1. Title.**

This chapter shall hereinafter be known and cited as "Moratorium on Storage of Hazardous Materials Collected for Disposal" of the Town of Lancaster and further designated as Chapter 50, Section 52 of the Code of the Town of the Town of Lancaster.

**§50-52.2. Purpose.**

- A.** It is the purpose of this chapter to temporarily limit the use of property for a principal purpose of storage and warehousing hazardous materials collected for disposal until such time as the Town of Lancaster amends the Zoning Code to address the storage of hazardous materials in a General Industrial zoning classification.
- B.** Further, it is the purpose of this chapter to fulfill the Town's constitutional, statutory and legal obligations to protect and preserve the public health, welfare and safety of the residents of the Town of Lancaster and to protect the value, use and enjoyment of property within the town.

**§50-52.3. Jurisdiction.**

This chapter shall apply to the entire Town of Lancaster, excluding the Villages of Lancaster and Depew.

**§50-52.4. Definitions.**

For purposes of this chapter, the terms used herein shall be defined as follows:

**HAZARDOUS MATERIALS** - All materials classified by NYSDEC as a hazardous material.

**PRINCIPAL USE** - That use to which the premises is generally devoted, to wit the collection of hazardous materials for disposal, whether permanent or temporary in nature.

**§50-52.5. Temporary limitation.**

A. For a period commencing on the effective date of this chapter and terminating six (6) months from the effective date, no new storage and warehousing of hazardous materials collected for disposal within any zoning classification may be carried out except as is incidental to any lawful and permitted use.

**§50-52.6 Severability.**

If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

**§50-52.7. Supersedure of statutory provisions.**

All statutory provision of Town Law and local law are hereby superceded.

**§50-52.8. When effective.**

This chapter shall become effective upon filing with the Secretary of State.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 2004 on the Town Bulletin Board, and
2. Within ten (10) days, publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication, and
3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 2004 with all proofs of publication and posting required for adoption, and

4. File certified copies of Local Law No. 1 of the Year 2004 within ten (10) days of adoption with:

- a) Town Clerk's office
- b) One (1) copy with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

**LEGAL NOTICE  
NOTICE OF ADOPTION  
LOCAL LAW NO. 1 OF THE YEAR 2004  
TOWN OF LANCASTER**

**PLEASE TAKE NOTICE**, that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on January 1, 2004, Local Law No. 1 of the Year 2004, enacting and commencing, Chapter 50, Section 52 of the Zoning Code of the Town of Lancaster, entitled "Moratorium on Storage of Hazardous Materials Collected for Disposal", briefly described as follows:

**"A LOCAL LAW TO IMPOSE A MORATORIUM ON USES THAT MAY OTHERWISE BE PERMITTED IN CHAPTER 50 OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED "ZONING" TO WIT: BY THE AMENDMENT OF CHAPTER 50 BY ADDING THERETO §50-52, "MORATORIUM ON STORAGE OF HAZARDOUS MATERIALS COLLECTED FOR DISPOSAL." AS A PRINCIPAL USE OF PROPERTY BE IT PERMANENT OR TEMPORARY.**

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN  
Town Clerk**

January 1, 2004

File: moratoriumhazardouswaste1203a

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has reviewed the Service Award Program for volunteer fireman in the Town of Lancaster created pursuant to General Municipal Law §214, et. seq. with consideration to reducing the benefit entitlement age from age 65 to age 62 and permitting said volunteers to continue to earn additional credits after reaching entitlement age, and

**WHEREAS**, the Town Board is sensitive to the needs of the Volunteer Fire Companies, Departments and Associations and believes it is important to provide this additional benefit to members of same for their valued volunteered service which will be at a minimal cost to the Town, and

**WHEREAS**, a public referendum was held pursuant to General Municipal Law Section 216 on December 19, 2003, for the purpose of a public vote of qualified electors on an amendment to the Service Award Program for the Town of Lancaster to provide for the above mentioned entitlement age change, and

**WHEREAS**, said amendment to this plan was approved by the electorate;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby adopts the amendment to the Service Award Program for the Town of Lancaster to provide that the entitlement age under the Program be reduced from age 65 to age 62; and further to provide that Volunteer Firefighters who have reached the entitlement age and are collecting a benefit from said Service Award Program shall also be eligible to earn additional credits in the Program by continued participation in the activities of the Fire Department as set forth in the existing Plan Document to be effective January 1, 2004.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: rfiremansserviceawardprogramA

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the County of Eric Department of Senior Services has  
heretofore provided a van to the Town of Lancaster for the purpose of providing transportation  
to senior citizens in the Town of Lancaster, and

**WHEREAS**, it is necessary to enter into a contractual arrangement with the  
County of Eric in order to continue providing said services to seniors, and

**WHEREAS**, the Town Attorney has reviewed the proposed contract with the  
County of Eric;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby  
authorizes the Supervisor to execute the Agreement with the County of Eric Department of  
Senior Services for the year 2004.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: rsvan03



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER AMATURA, TO WIT:

**WHEREAS,** the Town Board of the Town of Lancaster has reviewed a proposal for insurance consulting for the Town of Lancaster, and

**WHEREAS,** after due review and consideration of the proposals the Town Board has determined that it is in the public interest to accept the proposal made by Municipal Insurance Consultants, Incorporated.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an Agreement with Municipal Insurance Consultants, Inc., 5687 Main Street, Williamsville, New York 14221 on the terms and conditions set forth in its proposal for the year commencing January 5, 2004 and running through January 5, 2005, at an annual fee of \$3,500, in accordance with the terms and conditions of said Agreement, a copy of which is on file in the Town Clerk's Office, and

**BE IT FURTHER**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to sign the addendum to the aforementioned agreement which increases the fee to \$7,000 if, during the course of the contract, both Municipal Insurance Consultants, Inc. and the Town of Lancaster decide that they should proceed with the bidding of the Town's insurance program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File:municipalinsuranceconsultant1203

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AMATURA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, Theodore Kulbacki, 2 Wendling Court, Lancaster, New York 14086 has applied for a Dumping Permit for property situated at 3979 Walden Avenue, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their review and made a formal, favorable recommendation to the Town Board.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Theodore Kulbacki, 2 Wendling Court, Lancaster, New York 14086 be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at 3979 Walden Avenue, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that this permit is conditioned in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should be aware that if he intends to build on any filled area, the foundation shall be extended to original soil.
3. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
4. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road. Driveway for hauling fill shall be stoned with #3 or #4 stone for 50' from the edge of Eric Street.
5. Fill area shall be topsoiled and seeded upon completion of filling.
6. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday through Saturday. No dumping shall be allowed on Sunday.
7. Dust from the site shall also be prevented from migrating off site.
8. Swales shall be developed along property lines in order to direct the flow of water to the front and rear of the property.

9. The source of the fill material has been identified as coming from the Lafarge pit, Genesee Street, Lancaster, New York.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBI premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: RPERMIT DUM(11-12)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS,** Grantmakers Advantage, Inc., a grant writing/consultant firm, has furnished a Proposal to the Town of Lancaster, which Proposal sets forth the grant writing and consulting services to be provided, and

**WHEREAS,** the Town Board has reviewed the beforementioned Proposal and deems it in the public interest to retain said firm to provide grant writing/consultant services for the year 2004 at an annual rate of \$18,500.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to retain Grantmakers Advantage, Inc., 7 Marina Park South, Buffalo, New York for the purpose of providing grant writing/consultant services to the Town of Lancaster for the year 2004 at an annual rate of \$18,500.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: Rgrant consultant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTGOMERY, TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW  
YORK, ADOPTED JANUARY 1, 2004, AUTHORIZING THE  
PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF  
IMPROVEMENTS TO THE CENTRAL AVENUE BRIDGE,  
STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$225,000, APPROPRIATING SAID AMOUNT THEREFOR,  
AND AUTHORIZING THE ISSUANCE OF \$225,000 SERIAL  
BONDS OF SAID TOWN TO FINANCE SAID  
APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY  
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-  
thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Lancaster, in the County of Erie, New York (herein  
called the "Town"), is hereby authorized to partially reconstruct and construct improvements to  
the Central Avenue Bridge. The estimated total cost thereof, including preliminary costs and  
costs incidental thereto and the financing thereof, is \$225,000 and said amount is hereby  
appropriated therefor. The plan of financing includes the issuance of \$225,000 serial bonds of  
the Town to finance said appropriation, and the levy and collection of taxes on all the taxable  
real property in the Town to pay the principal of said bonds and the interest thereon as the same  
shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$225,000 are  
hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

**Section 3. The following additional matters are hereby determined and declared:**

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

**Section 4.** Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in

anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "LANCASTER BEE," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:



TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on January 1, 2004, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted January 1, 2004, authorizing the partial reconstruction of and construction of improvements to the Central Avenue Bridge, stating the estimated maximum cost thereof is \$225,000, appropriating said amount therefor, and authorizing the issuance of \$225,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct and construct improvements to the Central Avenue Bridge; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$225,000, APPROPRIATING said amount therefor, and STATING the plan of financing includes the issuance of \$225,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$225,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 1, 2004

Johanna M. Coleman  
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR, TO WIT:

WHEREAS, the General Crew Chief of the Department of Parks, Senior Facility and Buildings & Grounds, by letter dated December 26, 2003 has requested the creation of one (1) additional position of Laborer in the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one (1) additional position of Laborer in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: RPERS.CRE (P10)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town of Lancaster has been operating the Town of Lancaster Fire Dispatch Service at the Lancaster Town Police Base Station, and

**WHEREAS**, the Town of Alden and Town of Lancaster have heretofore entered into a Joint Service Agreement for fire dispatch service to be provided to the Town of Alden, pursuant to §119-o of the General Municipal Law of the State of New York, which Agreement expires according to its terms at the end of the calendar year 2003, and

**WHEREAS**, the Town of Lancaster provides dispatch services to the various fire departments which serve the Town of Lancaster to wit: Twin District Volunteer Fire Company, Millgrove Volunteer Fire Department, Town Line Volunteer Fire Department and Bowmansville Volunteer Fire Association, and desires to continue the cooperative effort to provide dispatch services for the Town of Alden, and

**WHEREAS**, the Town Board has reviewed the renewal Joint Service Agreement between the Town of Lancaster, Town of Alden and the Village of Alden as signatory parties, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to renew this Joint Service Agreement for a three year period;

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized and directed to execute the renewal of the Joint Service Agreement for Fire Dispatch Service for a period of three years commencing January 1, 2004 and terminating December 31, 2006, whereby the Town of Lancaster will provide fire dispatch services to the Town of Alden and Village of Alden for the consideration recited in the Agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: rlfirdispatch104

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 6283 to Claim No. 6532 Inclusive

Total amount hereby authorized to be paid: \$735,188.78

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

11408	Marrano/Marc Equity	30 Apple Blossom Blvd	Er. Dwlg.-Sin.
11409	Conta, Andrew	29 Creekwood Dr	Er. Fence
11410	Transit-Rehm Assoc.	6363 Transit Rd	Er. Comm. Alt.
11411	Transit French Assoc.	4779 Transit Rd	Er. Sign-Temp

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004

File: Rbldg2

**SUSPENDED RESOLUTION:**

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Ruffino, and carried.

**SUSPENSION GRANTED**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing One (1) New 2004 Police Vehicle to the Police Department of the Town of Lancaster in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were opened on December 30, 2003, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the beforementioned vehicle pursuant to said specifications.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid of DeLacy Ford, Inc., 3061 Transit Road, Elma, New York 14059 for One (1) New 2004 Police Vehicle pursuant to specifications on file in the Town Clerk's Office, at a cost of \$18,560. is hereby accepted and that an order for such vehicle is hereby authorized to be placed by the Chief of Police.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 1, 2004  
File: rpolicebids1203a

## COMMUNICATIONS & REPORTS:

1. Erie County Department of Environment & Planning to Town Attorney -  
Comments regarding proposed Columbia Gardens Subdivision. DISPOSITION = Planning Committee
2. NYS DEC to Mr. Timothy Szmolke -  
Transmittal of response to letter from Mr. Szmolke regarding zoning amendment 4827 and 4839 Transit Road. DISPOSITION = Planning Committee
3. Erie County Department of Environment & Planning to Town Attorney -  
Notification of Lead Agency Designation to the Town of Lancaster regarding proposed rezone of vacant land on Como Park Boulevard (Hunt Real Estate); comments noted. DISPOSITION = Planning Committee
4. Town Clerk to Town Board -  
Final report of 2003 - 2004 School Tax collection. DISPOSITION = Received & Filed
5. Office of Emergency Management to Town Board -  
Report of meeting held November 18, 2003. DISPOSITION = Received & Filed
6. The Lancaster Village Partnership to Supervisor -  
Letter of appreciation for renewal of lease for 11 West Main Street. DISPOSITION = Received & Filed
7. Landmark Society of the Niagara Frontier to Supervisor -  
Letter regarding the Warren Hull House restoration. DISPOSITION = Received & Filed
8. Lancaster Town Band to Supervisor -  
Request for band shell to be erected on Town property near Oxford Avenue. DISPOSITION = Received & Filed
9. Police Officer Emery Williams to Police Chief -  
Notice of intent to retire effective January 11, 2004. DISPOSITION = Received & Filed
10. William T. Revelas to Supervisor, Town Board -  
Request for reappointment as Fire Inspector - Part-Time. DISPOSITION = Resolution 1/1/04
11. Office of the State Comptroller to Town Board -  
Letter regarding estimated cost thresholds for certain Special District Budget actions for 2004. DISPOSITION = Received & Filed
12. Town Clerk to Town Board  
Transmittal of results of Firefighter's Service Award Referendum held December 19, 2003. DISPOSITION = Resolution 1/1/04



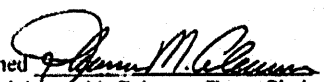
**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the meeting was adjourned at 1:01 P.M. IN MEMORY OF:

Kevin Durkin

Irene Dwyer

Michael Mikula

Signed   
Johanna M. Coleman, Town Clerk